

City of Burlingame

Special Permit

Address: 1125 Oxford Road

Meeting Date: April 8, 2019

Request: Application for Special Permit for a reduction in the number of parking spaces existing on site (from an attached two-car garage to an attached one-car garage) for a first floor renovation.

Applicant and Architect: James Neubert Architects

APN: 025-252-210

Property Owners: Christina and Vishal Jangla

Lot Area: 6,000 SF

General Plan: Low Density Residential

Zoning: R-1

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (a) which states that interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveniences are exempt from environmental review.

Project Description: A Notice of Violation was issued on the subject property in April 2018 for converting an attached two-car garage to living space without Planning and Building Division approval. This Notice of Violation was issued to the prior property owners. The current property owners purchased the subject property in June 2018 and are now requesting a Special Permit to reduce the number of parking spaces on site, by modifying the garage conversion to provide one covered off-site parking space where there were previously two spaces.

The existing house is two stories and has four bedrooms with 2,712 SF (0.45 FAR) of floor area. The house included a two-car attached garage and sometime between August 2016 and January 2018 the two-car attached garage was entirely converted to living space. Currently, the garage is used as a family room and is integrated into the floor plan of the living space of the house. There are four bedrooms, and the bedroom count would not change with this application. Two parking spaces, one of which must be covered, are required for a four bedroom house.

This application includes converting the non-permitted living space in the former garage to a one-car attached garage (10' W x 20'-0" D clear interior dimensions) where there were previously two covered spaces. Code Section 25.26.035(b) requires a Special Permit to reduce the number of parking spaces existing on site from three spaces (2 covered and 1 uncovered spaces) to two spaces (1 covered and 1 uncovered spaces). The remaining area, which provided the second covered parking space, would be retained for use as a den. One uncovered space would be provided in the driveway. Therefore, the proposed project complies with off-street parking requirements.

The existing driveway is approximately 18'-6" wide and could currently accommodate two vehicles, however Code Section 25.70.025(c)(1) prohibits vehicles parking between a structure and a front property line except in a garage, driveway or other approved parking. The new front façade includes one wood barn style garage door on the left and the right side, leading to the den, would have French doors with a wooden arbor above. With this application the space in front of the den is proposed to be converted to landscaping with the driveway narrowed. The front fence and box hedge would be extended to the left (towards the driveway) in front of the right side (den) door resulting in an increased width of the front yard space.

The proposed project also includes a 51 SF single story addition at the rear of the house. The addition would in-fill a rear porch for an expanded dining room area. The proposed project is not subject to Design Review because the addition would have a plate height that matches the existing at 8'-4". Since there is no change to the location or expansion of the attached garage, the garage modification is not subject to Design Review nor is it required to comply with current front setback regulations for an attached garage. All other zoning requirements are met.

The applicant is requesting the following application:

- Special Permit for a reduction in the number of parking spaces existing on site (from an attached two-car garage to an attached one-car garage) (C.S. 25.26.035 (b)).

1125 Oxford Road**Lot Area: 6,000 SF****Plans date stamped: January 25, 2019/March 27, 2019**

	EXISTING	PROPOSED	ALLOWED/REQUIRED
SETBACKS			
Front (1 st floor): (2 nd floor): (attached garage):	32'-1" 64'-1" 32'-1"	no change no change no change	15'-0" or block average 20'-0" or block average 25'-0"
Side (left): (right):	3'-7" 4'-0" (to fireplace)	no change no change	4'-0" 4'-0"
Rear (1 st floor): (2 nd floor):	28'-9" 28'-9"	37'-0" (to addition) no change	15'-0" 20'-0"
Lot Coverage:	2,092 SF 34.8%	2,144 SF 35.7%	2,400 SF 40%
FAR:	2,712 SF 0.45 FAR	2,764 SF 0.46 FAR	3,020 SF 0.50 FAR
# of bedrooms:	4	4	---
Off-Street Parking:	Prior to unpermitted garage conversion- 2 covered 1 uncovered ² Currently - 0 covered 1 uncovered (9' x 20') ²	1 covered (10'-0" x 20'-0") 1 uncovered (9' x 20') ²	1 covered (10'-0" x 20'-0") 1 uncovered (9' x 20') Special Permit required for reduction in # of existing parking spaces
Building Height:	21'-10"	15'-1" rear addition	30'-0"

¹ (0.32 x 6,000 SF) + 1,100 SF = 3,020 SF (0.50 FAR)

² Special Permit for a reduction in the number of parking spaces existing on-site (CS 25.26.035(b)).

Staff Comments: See attached memos from the Building and Engineering divisions.

Previous Meetings:

February 11, 2019 Study Meeting: At the Study meeting on February 11, 2019, the Planning Commission reviewed the proposed request for a Special Permit and had the following comments (see attached February 11, 2019 Planning Commission Minutes):

- Code prohibits parking in front of house, can only park in an area leading to a garage or carport;
- Having a garage door in the den invites a violation;
- Should treat den as habitable space;
- Consider removing pavers in front of the den; and
- Consider adding landscaping in front of the den.

March 11, 2019 Action Meeting: At the March 11, 2019, the Planning Commission reviewed the revised plans for the Special Permit application along with revised sheets A1, A3, A6 and A7 and the applicant's response letter, dated February 27, 2019. The Planning Commission was surprised to see two garage doors and noted that the front looks like a two-car garage and does not fit the neighborhood. The Commission continued the item and suggested that French doors be used for the den.

The applicant submitted revised sheets A1, A3, A6 and A7 and a response letter, dated March 27, 2019 to address the Commission's concerns and suggestions. The applicant notes that there will be a wood garage door on the left side for the parking space and French doors where the den is located. The trim on the French doors will match the doors and windows on the house and a wooden arbor has been added above the French doors.

The plans also include extending the front fence and box hedge towards the driveway. The driveway width will be reduced from 18'-3" to 12'-6", resulting in a larger front yard area and a narrower driveway (12'-6") that will limit driveway parking to one space. This change will eliminate the possibility of a code violation in the future. The front yard planting will be enhanced with added landscaping, planters and pavers as shown on Sheets A1 and A6. Please see the applicant's response letter and attachments for additional details.

Findings for a Special Permit: In order to grant a Special Permit to reduce the number of parking spaces existing on the site, the Planning Commission must find that the following conditions exist on the property (Code Section 25.51.020 a-d):

- (a) The blend of mass, scale and dominant structural characteristics of the new construction or addition are consistent with the existing structure's design and with the existing street and neighborhood;
- (b) the variety of roof line, facade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood;
- (c) the proposed project is consistent with the residential design guidelines adopted by the city; and
- (d) removal of any trees located within the footprint of any new structure or addition is necessary and is consistent with the city's reforestation requirements, and the mitigation for the removal that is proposed is appropriate.

Special Permit Findings (reduction in the number of parking spaces existing on site): That the proposed project, with one covered and one uncovered parking space complies with the code requirements for this four bedroom house. That the materials and architectural details proposed for the front façade with a wood carriage garage door and French doors with a wood arbor above, match the existing architectural style of the house and provide a balance under the garage gable. The added pavers, landscaping and extension of the fence and curb cut will complement the front of the house, enhance the façade and block face, therefore the project may be found to be compatible with the Special Permit criteria listed above.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

- 1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped January 25, 2019, sheets A1 through A9, and superseded sheets A1, A3, A6 and A7 dated March 27, 2019;
- 2. that the room labeled "den" on the first floor, adjacent to the one car garage, shall not be used for sleeping purposes because it is located directly off of the garage and is prohibited by the Building Code;

3. that if the structure is altered at a later date and the number of bedrooms is increased beyond four (4), the Special Permit, as well as any other exceptions to the code granted here, will become void;
4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
5. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
6. that all air ducts, plumbing vents, and flues shall be combined, where possible, to a single termination and installed on the portions of the roof not visible from the street; and that these venting details shall be included and approved in the construction plans before a Building permit is issued;
7. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit; and
8. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame.

Catherine Keylon
Senior Planner

c: James Neubert Architects, applicant and architect
Vishal and Christina Jangla, property owners

Attachments:

March 11, 2019 Planning Commission Minutes
Applicant's Response Letter, dated March 27, 2019
February 11, 2019 Planning Commission Minutes
Applicant's Response Letter and Attachments, dated February 27, 2019
Application to the Planning Commission
Special Permit Application
Photographs – before and after
Planning Commission Resolution (proposed)
Notice of Public Hearing – Mailed March 29, 2019
Area Map